

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ERIK SANCHEZ,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 07-3790 (SRC)

ORDER TO ANSWER

This matter having come before the Court on the August 10, 2007 motion of Petitioner Erik Sanchez (“Petitioner”) to vacate, set aside or modify sentence, pursuant to 28 U.S.C. § 2255; and this Court having advised Petitioner of his rights under United States v. Miller, 197 F.3d 644 (3d Cir. 1999) by Order dated August 14, 2007; and Petitioner having received notice of these rights and waived them by letter filed September 18, 2007 in response to the August 10, 2007 “Miller” Order; and the Court construing the August 10, 2007 motion as Petitioner’s all-inclusive § 2255 Petition; therefore,

IT IS on this 1st day of October 2007,

ORDERED that the Clerk of the Court shall serve copies of the August 10, 2007 motion, this Order, and all other documents docketed in this matter upon Respondent by certified mail, return receipt requested, with all costs of service advanced by the United States; and it is further

ORDERED that Respondent shall file a full and complete answer to the August 10, 2007 motion within 45 days of the entry of this Order; and it is further

ORDERED that Respondent shall raise by way of its answer any appropriate

defenses which it wishes to have the Court consider, including, with respect to the asserted defenses, relevant legal arguments with citations to appropriate legal authority; and it is further

ORDERED that the answer shall be accompanied by certified copies of all notices, opinions, documents, transcripts or recordings of any proceedings, including all documentation that may be material to the questions raised in the August 10, 2007 motion; and it is further

ORDERED that Petitioner may reply to Respondent's answer no later than fifteen (15) days after said answer is filed with the Court.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J.